

11-08-07

ITJ

Attorney Docket No. DN 99-009



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gerald Dean ERDMAN

: Confirmation No.: 8932

Application No.: 10/526,342

: Art Unit.: 1793

Filed: 03/02/2005

: Examiner: James Fiorito

**For: PROCESS FOR THE PRODUCTION OF PRECIPITATED CALCIUM CARBONATES AND  
PRODUCT PRODUCED THEREBY**

**Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

**EXPRESS MAIL CERTIFICATE**

Express Mail label number: EQ 519995682 US

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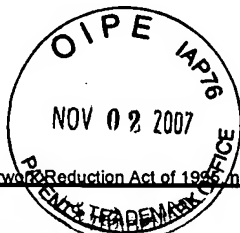
- Transmittal Form (PTO/SB/21) (1 page)
- Information Disclosure Statement Transmittal Form (3 pages)
- Information Disclosure Statement (2 pages)
- Information Disclosure Statement by Applicant (PTO/SB/08A) (2 pages)
- Information Disclosure Statement by Applicant (PTO/SB/08B) (1 page)
- Foreign References Cited (11 documents - 158 pages)
- Non-Patent Literature Documents (2 documents - 6 pages)

Total pages deposited (including this page): 173 pages

Date: November 2, 2007

Minerals Technologies Inc.  
1 Highland Avenue  
Bethlehem, PA 18017

Derek S. Jessen  
Derek S. Jessen  
Reg. No. 48,213  
Tel: (610) 861-3839



PTO/SB/21 (10-07)

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**TRANSMITTAL  
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Total Number of Pages in This Submission

170

Application Number

10/526,342

Filing Date

03/02/2005

First Named Inventor

Gerald Dean ERDMAN

Art Unit

1793

Examiner Name

James Florito

Attorney Docket Number

99-009

**ENCLOSURES**

(Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Foreign Patent Documents
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Non-Patent Literature Documents
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Express Mail Certificate
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Minerals Technologies Inc.		
Signature	<i>Derek S. Jessen</i>		
Printed name	Derek S. Jessen		
Date	November 2, 2007	Reg. No.	48,213

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Derek S. Jessen	Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Gerald Dean ERDMAN

Serial No.: 10/526,342

Group Art Unit: 1793

Filed: 03/02/2005

Examiner: James Fiorito

For: PROCESS FOR THE PRODUCTION OF PRECIPITATED CALCIUM  
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22313-1450

November 2, 2007  
Date

Derek S. Jessen  
Derek S. Jessen, Registration No. 48,213

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR.  
§ 1.56 in connection with the above-identified application, which statement is being filed:

- ☐ [ ] Together with the present application.
- ☒ [ X ] Before the first Office Action on the merits or three (3) months from the filing date of this application, after the filing of a Request for Continued Examination under § 1.114, whichever occurs last.
- ☐ [ ] After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first.
- ☐ [ ] After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee.

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ [ X ] No separate requirements are needed.

☒ [ X ] No additional fee is required.

☐ [ ] **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ [ ] **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ [ ] **Certification Under 37 CFR § 1.97(e)**

- ☐ ( ) Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ ( ) No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

**Provision of Copies of References**

☒ [X] Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).

☐ [ ] A copy of each of the references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.

☐ [ ] Partial Translations of References are enclosed herewith and form a part hereof.

- ☐ A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- ☒ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

**Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted**

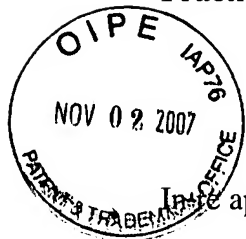
- ☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 13-3639. A duplicate copy of this transmittal is attached.

Respectfully submitted,

DATE: November 2, 2007

Derek S. Jessen  
Derek S. Jessen  
Registration No. 48,213  
Attorney for Applicant

Minerals Technologies Inc.  
1 Highland Avenue  
Bethlehem, PA 18017  
Telephone: (610) 861-3839  
Fax: (610) 861-7540



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor application of: Gerald Dean ERDMAN : Confirmation No.: 8932

Application No.: 10/526,342 : Art Unit: 1793

Filed: 03/02/2005 : Examiner: James Fiorito

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AND PRODUCT PRODUCED THEREBY**

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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In the interest of full disclosure, the following items are herewith identified in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98 for consideration by Examiner. The filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to the patentability as defined in § 1.56(b).

**FOREIGN PATENT DOCUMENTS**

1. European Patent Publication EP 1160201A2 published December 5, 2001, in English.
2. European Patent Publication EP 1016628A published July 5, 2000, in German. US 6,500,400 is an English language equivalent of the German document.
3. International Patent Publication WO 9841475A published September 24, 1998, in English.
4. International Patent Publication WO 0034182 published June 15, 2000, in English.
5. International Patent Publication WO 9623728 published August 8, 1996, in English.
6. International Patent Publication WO 9816471 published April 23, 1998, in English.
7. Chinese Patent Publication CN 1239933 published December 29, 1999, in Chinese. WO 9816471 is an English language equivalent of the Chinese document.

**Practitioner's Docket No. 99-009**

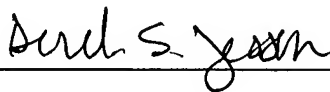
8. Chilean Patent Publication CL 00721-1999 published November 11, 1999, in Spanish. US 6,294,143 is an English language equivalent of the Chilean document.
9. Russian Patent Publication SU 1811514 published April 23, 1993, in Russian. A statement of relevance is set forth on page 3 of the English translation of the Russian Office Action of August 17, 2006 for Russian patent family member of the present application.

**OTHER DOCUMENTS**

1. Liden R.A. et al. Chemical Properties of Inorganic Compounds, Moscow, Khimiya, 1997, pp. 61-62, § 112 (in Russian). A statement of relevance is set forth on page 2 of the English translation of the Russian Office Action of August 17, 2006 for Russian patent family member of the present application.
2. International Search Report dated March 24, 2003 of International Patent Application PCT/US02/19263 which is a patent family member of the present application published December 24, 2003 in English.

The requirements specified by MPEP 609A(3) and C.F.R. § 1.98 are considered to have been satisfied.

Respectfully submitted,



Minerals Technologies Inc.  
1 Highland Avenue  
Bethlehem, PA 18017

Derek S. Jessen  
Attorney for the Applicants  
Reg. No. 48,213  
(610) 861-3839